



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

May 12, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PARKS AND RECREATION:
APPROVAL OF A TENNIS AND DISC GOLF CONCESSION AGREEMENT FOR
THE OPERATION AND MAINTENANCE OF THE LA MIRADA CONCESSION
AT LA MIRADA COMMUNITY REGIONAL PARK
(SUPERVISORIAL DISTRICT 4) (3 VOTES)**

SUBJECT

Approval of a five year agreement for the operation and maintenance of the La Mirada Tennis and Disc Golf Concession at La Mirada Community Regional Park.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the proposed action is categorically exempt from the California Environmental Quality Act for the reasons cited herein.
2. Approve and instruct the Director of the Los Angeles County Department of Parks and Recreation to sign and execute a Tennis and Disc Golf Concession Agreement with Mr. Kuk Roo Lee, for the operation and maintenance of the La Mirada Tennis and Disc Golf Concession located at La Mirada Community Regional Park. The Agreement has an initial five year term, with one five year optional extension, to be exercised by the Director of the Department of Parks and Recreation. This Agreement will commence upon execution of the Agreement by both parties, and will guarantee annual revenues of \$7,200 to \$9,600 during the initial five year term.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

La Mirada Regional Park (La Mirada Park) is located in the City of La Mirada, 25 miles south of Downtown Los Angeles, and is neighbored by the business centers of La Habra, Fullerton, and Norwalk, attracting visitors from all areas. The park is approximately 79 acres in size. The current services and amenities include a Community and Senior Resource Center, a new aquatic center, ball fields, numerous picnic areas, a 27 hole disc golf course, 12 lighted tennis courts, volleyball courts, a children's play area, comfort stations, and a fishing lake. The current La Mirada Park Tennis and Disc Golf Concession Agreement (Agreement) is on a month to month basis.

Approval of the Agreement will allow the Department of Parks and Recreation (Department) to enhance services to the public through this Agreement at La Mirada Park. This new Agreement increases revenue to the County of Los Angeles (County), and provides for the maintenance of the La Mirada Tennis and Disc Golf Concession (Concession), which includes twelve tennis courts, a Pro Shop, and 27 hole disc golf course. This Agreement will include an initial five year term, with one five year option term, for a maximum total of ten years. The Concession will serve and benefit the surrounding communities by offering tennis programs for youth groups, summer camps, outreach groups, as well as, tennis clinics and lessons, disc golf programs, and tournaments.

Implementation of Strategic Plan Goals

The proposed Agreement with Mr. Kuk Roo Lee (Concessionaire) will further the County's Strategic Plan of Operational Effectiveness (Goal 1), by increasing revenues and providing funding for infrastructure improvements at the tennis and disc golf center, and Community and Municipal Services (Goal 3), by creating affordable, accessible and quality tennis lessons, along with disc golf tournaments to the surrounding communities.

FISCAL IMPACT/FINANCING

Pursuant to the terms of the Agreement, the Concessionaire shall pay the County, on a monthly basis, a minimum rent or the sum of the percentages of monthly gross receipts from the sales of tennis and disc golf related activities and merchandise, whichever is greater.

The proposed Agreement with the Concessionaire will guarantee minimum annual revenue of \$7,200 to the Department for Fiscal Year (FY) 2008-2009. Annual revenues will range from \$7,200 to \$9,600 during the initial five year term and will increase incrementally during the one five year optional extension.

Commencing the second year of the Agreement, the Concessionaire will pay an additional two percent of the total monthly gross receipts from the sales of tennis and disc golf related activities and merchandise, towards capital improvements of the Concession. The Concessionaire will provide an initial \$12,000 for various improvements, such as carpet and interior painting of the pro shop. In addition, the Concessionaire has agreed to replace tennis nets, windscreens and various upgrades to the court areas within the first year, and resurface four tennis courts by the end of the third year of the initial term.

Operating Budget Impact

As a result of the recommended actions, the Department does anticipate a small revenue increase to its operating budget over the five year term of the Agreement. Small incremental increases are guaranteed due to a progressive monthly minimum rent schedule, with the second year's monthly rent exceeding the prior Agreement's monthly rent by \$50 (\$600 annually). The third, fourth and fifth year monthly rents are also the same and guarantee a monthly revenue increase of \$50 (\$600 annually).

The Department is also anticipating additional revenue from its share of the Concessionaire's gross receipts from the sales of tennis, disc golf related activities and merchandise. This amount cannot be estimated at the moment due to the Concessionaire being new to the County and lack of historical data.

The Department will address in future years' budget requests as they become material and if the Agreement is not terminated prematurely.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Board is authorized by Government Code Section 25907 to contract for concessions and services that are consistent with public park and recreation purposes within La Mirada Park. The proposed Agreement is consistent with said purposes.

The term of the Agreement with the Concessionaire will commence the first day of the month following the Director of the Department of Parks and Recreation approval for five years, with one five year optional extension.

This Agreement contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility Debarment,

Los Angeles County Code Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The Concessionaire has executed the attached Agreement and will provide the required insurance policies prior to the start of this Agreement, naming the County as an additional insured.

County Counsel has approved the Agreement as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed Agreement is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15301 and 15323 of the State CEQA Guidelines and Classes 4(j) and 23 of the Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987, because the Agreement provides for permits, licensing, and leases on existing facilities.

CONTRACTING PROCESS

On June 5, 2008, the Department commenced a solicitation for the operation and maintenance of a Concession by posting an ad in the "Inside Tennis Magazine," the official publication of the United States Tennis Association Southern California (USTA-SC) and posted a legal ad in the "Whittier Daily News."

On June 10, 2008, the Request for Proposal (RFP) notice was posted on the County of Los Angeles "Doing Business with Us" web site. The notice also included a link to download the solicitation package and bilingual instructions on how to contact the Department regarding this solicitation.

On June 24, 2008, thirteen proposers attended the Proposer's Conference. On July 17, 2008, the Department received four proposals. The proposals were first reviewed by Contract Development staff to ensure compliance with mandatory minimum requirements outlined in the RFP. Having met those requirements, the proposals were then evaluated by an evaluation panel, comprised of three Department employees.

The evaluation panel evaluated each proposal based on criteria identified in the RFP, which included the business experience and qualifications; rent to the County; operation and maintenance plan; safety programs; and the ability to operate a tennis and disc golf concession. The evaluation of these proposals was completed prior to the Informed Averaging Method, approved by the Board on March 31, 2009. Therefore, the evaluation and scoring of these proposals was done using the consensus scoring method. Based on these evaluations, the recommended Concessionaire was determined to have met all requirements and was rated as the highest ranked proposal for the operation and maintenance of the Concession at La Mirada Park.

Attachment I reflects the Concessionaire's minority participation. It should be noted that upon final analysis and award, the Concessionaire was selected without regard to gender, race, creed, or color.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this action will cause no impact on current services or programs.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward four adopted copies of this letter to the Department of Parks and Recreation for distribution.

Respectfully submitted,



RUSS GUINEY
Director

RG:KEH:GB:
CM:lt

Attachment

c: County Counsel

Attachment I

County of Los Angeles - Community Business Enterprise (CBE) Program

Request for Local SBE Preference Program Consideration and
CBE Firm/Organization Information Form

INSTRUCTIONS: All Proposers/Bidders responding to this solicitation must complete and return this form for proper consideration of the proposal/bid.

LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:

FIRM NAME: KUK RO LEE

☒ I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid submission.

☐ I AM

☐ As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

My County (WebVen) Vendor Number: _____

II. **FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to gender, race, creed or color.

Business Structure: <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Non-Profit <input type="checkbox"/> Franchise <input type="checkbox"/> Other (Please Specify) _____						
Total Number of Employees (including owners): <u>6</u>						
Race/Ethnic Composition	Owners/Partners/ Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black / African American						
Hispanic / Latino						
Asian or Pacific Islander	<u>1</u>		<u>2</u>			<u>1</u>
American Indian/ Alaskan Native						
Filipino American					<u>1</u>	
White						


III. **PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black / African American	Hispanic/ Latino	Asian or Pacific Islander	American Indian/ Alaskan Native	Filipino American	White
Men	%	%	<u>100</u> %	%	%	%
Women	%	%	%	%	%	%

IV. **CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:** If your firm is currently certified as a minority, women, disadvantaged or disabled veteran business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form if necessary.)

Agency Name	Minority	Women	Dis- advantaged	Disabled Veteran	Expiration Date

V. **DECLARATION:** I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE.

Authorized Signature: 	Title: <u>owner</u>	Date: <u>7/7/08</u>
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